

REMARKS

This Request for Reconsideration is submitted in response to an outstanding Office Action dated September 24, 2004, the shortened statutory period for response set to expire on December 24, 2004. Accordingly, a petition and a fee for a two-month extension of time are submitted concurrently herewith. In the event that the Commissioner determines that a different extension of time or fee is due, the undersigned hereby petitions for such extension of time and authorizes the Commissioner to charge deposit account 13-3250 for any required fee.

I. Status of the Claims

Claims 1-17 are currently pending in the application. Claims 1 and 17 are independent claims.

Applicants acknowledge the Examiner's citation of statutory authority as a basis for claim rejections.

II. Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1, 2-5, 10-13, 15-16, and 17 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,014,647 to Nizzari et al. ("Nizzari") in view of U.S. Patent No. 5,964,839 to Johnson et al. ("Johnson").

As an initial matter, Applicants do not admit that Nizzari is prior art to the claimed inventions.

Claim 1 recites collecting interaction data; computer processing said collected interaction data with connectivity and diversity measures, wherein connectivity is a measure for assessing how well entities are connected to their environments and diversity is a measure for assessing how diverse entities are in their interactions with or connections to their environment; and displaying said processed interaction data and appropriate raw interaction data for interaction analyses.

Claim 17 recites a system for interactive visual analysis of interactions among entities, where entities are individuals or groups, which comprises: ... a microprocessor and a storage unit; ... algorithms stored in said storage unit and operable by said microprocessor for measuring connectivity and diversity of entities based on their interactions, wherein connectivity is a measure for assessing how well entities are connected to their environments and diversity is a measure for assessing how diverse entities are in their interactions with or connections to their environment; [and] a set of programs for accessing interaction data and generating views dynamically.

The Examiner recognizes that Nizzari fails to disclose computer processing of collected interaction data with connectivity and diversity measures wherein connectivity is a measure for assessing how well entities are connected to their environments and diversity is a measure for assessing how diverse entities are in their interactions with or connections to their environment. *See*, Sep. 24, 2004 Office Action at page 3. Nonetheless, the Examiner concluded that Johnson discloses the claimed connectivity and diversity measures on the basis that Johnson's "connectivity data" "represent both connectivity and diversity according to the applicant's definition since data packets/bytes sent versus data packets/bytes received during a data stream connection has the ability to tell a user how well connected, or how diverse the connection is." *Id.* at pages 3-4.

Applicants respectfully submit that Johnson does not disclose or suggest the claimed connectivity and diversity measures. "Connectivity," as recited in the claims, is a measure for assessing how well entities are connected to their environments, and "diversity" is a measure for assessing how diverse entities are in their interaction with or connections to their environment." Johnson discloses collection and monitoring of data, but it does not disclose a measure for processing collected data. The Examiner appears to recognize this, which may

explain the Examiner's statement that the claimed connectivity and diversity measures can be inferred because Johnson's collected data "has the ability to tell a user how well connected, or how diverse the connection is" (emphasis added). However, the mere disclosure of collected data, which in hindsight *could have been* processed by someone to determine how well connected or how diverse the connections were, is insufficient to disclose or suggest the connectivity and diversity measures themselves, that are used to process the collected data. Thus Johnson does not disclose, either expressly or implicitly, the claimed connectivity and diversity measures. In addition, Johnson does not disclose or suggest processing of collected data, especially with connectivity and diversity measures. Also, Applicants respectfully submit that the combining of Nizzari and Johnson is improper in this case, for there is no teaching that shows how to combine, or motivation for combining, Johnson's inbound/outbound household communication activity information with Nizzari's system/method of tracking customer interaction.

Therefore, neither Nizzari nor Johnson, alone or in combination, discloses or suggests processing of collected interaction data with connectivity and diversity measures. At least for this reason, Applicants submit that independent claims 1 and 17, and the claims that depend therefrom¹ are allowable over the cited references, and ask the Examiner to withdraw the rejection as to this basis.

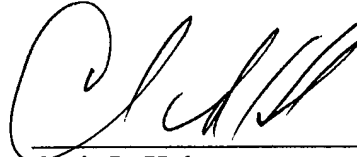
III. Request for Reconsideration

Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the

¹ These include claims 6, 8, and 14, which the Examiner rejected under 35 U.S.C. § 103 as being unpatentable over Nizarri in view of Johnson and U.S. Patent No. 6,029,195 to Herz ("Herz"), and claims 7 and 9, which the Examiner rejected under 35 U.S.C. § 103 as being unpatentable

- undersigned would appreciate a telephone call at the number indicated.

Respectfully submitted,
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over Nizarri in view of Johnson and “applicant’s admissions.”